UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TOYO TIRE AND RUBBER CO.,	LTD., et al.,	
	Plaintiff(s),	Case No. 2:13-cv-2062-GMN-NJK
VS.	<b>\$</b>	REPORT & RECOMMENDATION
TOYAMA TYRE CORP., LTD.,	\ \	
	Defendant(s).	) ) )

This matter is before the court on Defendants Toyama Tyre Corp., LTD., Toyama Tyre Corp., LTD., and Hong Kong Toyama Tyre Int'l, LTD.'S failure to comply with this Court's Orders (Docket Nos. 22, 24).

On December 30, 2013, the Court granted law firm of Cotton, Driggs, Walch, Holley, Woloson & Thompson, and the New York-based law firm of Cowan, Liebowitz & Latman P.C.'s motion to withdraw as counsel of record and gave the corporate defendants until January 30, 2014, in which to retain counsel of record authorized to appear in this action because a corporation cannot appear except through counsel. Docket No. 22. The order directed the Clerk of the Court to serve defendants with a copy of the order at the last known addresses provided by its former counsel, and advised defendants that their failure to timely comply with the order "may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions." *Id.* To date, the corporate defendants have failed to retain counsel of record. None of the defendants has requested an extension of time in which to comply with the court's order.

On January 31, 2014, the Court issued an Order to Show Cause instructing Defendants to show cause, in writing, no later than March 3, 2014, why they should not be sanctioned and/or why the Court should not recommend that default judgment be entered against them for failure to defend and failure to comply with the Court's prior order. *See* Court Order to Show Cause, Docket No. 24. The Order advised Defendants that failure to comply would result in a recommendation to the District Judge that default

## Case 2:13-cv-02062-GMN-NJK Document 27 Filed 03/11/14 Page 2 of 2

judgment be entered against them. *Id.* Defendants have not complied or requested an extension of time in which to comply.

Accordingly,

**IT IS THE RECOMMENDATION** of the undersigned United States Magistrate Judge that the Defendants' pleadings be STRICKEN.

**IT IS FURTHER RECOMMENDED** that the Clerk of the Court enter judgment accordingly. Dated: March 11, 2014.

NANCY J. KOPPE UNITED STATES MAGISTRATE JUDGE

## NOTICE

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court. Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and recommendations of a magistrate judge shall file and serve *specific written objections* together with points and authorities in support of those objections, within fourteen days of the date of service of the findings and recommendations. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject to the page limitations found in LR 7-4.